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16
17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 In re CONSECO INSURANCE CO.
20 ANNUITY MARKETING & SALES
PRACTICES LITIG.

Case No. C-05-04726-RMW
And Related Cases

21 This Case Relates To:

CLASS ACTION

22 ALL ACTIONS.

STIPULATION AND ORDER
[] FOR SCHEDULING CLASS
CERTIFICATION ISSUES

24 **STIPULATION**

25 Whereas, the Parties delayed proceedings on class certification issues while exploring
26 settlement possibilities and proceeding to mediation with Judge Edward Infante (ret.) on three
27 occasions, including February 25, 2010 and March 11, 2010;
28

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2 Whereas, the Parties have been unable to resolve this lawsuit, but are prepared to
3 continue to explore settlement;
4

5 Whereas, the Parties believe that the case should move forward even as they continue
6 to explore settlement..

7 Now, therefore, Plaintiff and all Defendants hereby stipulate and agree to the following
8 schedule for class certification:

9 1. Plaintiff shall file his Motion for Class Certification and all supporting
10 documents on or before June 7, 2010;
11
12 2. Defendants shall file their response on or before August 21, 2010;
13
14 3. Plaintiff shall file his reply on or before October 5, 2010.

15 The parties hereby request a hearing on Plaintiff's Motion for Class Certification to be
16 scheduled by the Court at such time after October 5, 2010, as determined by the Court.

17 DATED: March ___, 2010 .

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ORDER II

The Court having considered the above stipulation and good cause appearing,
IT IS HEREBY ORDERED that the parties shall comply with the schedule set forth
above.

IT IS FURTHER ORDERED that the hearing on Plaintiff's Motion for Class Certification shall be scheduled for October 8, 2010, at 9:00 a.m. in Courtroom 6 of this Court. 

DATED: 4/15, 2010

Ronald M. Whyte
Ronald M. Whyte
United States District Court Judge